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U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
February 2011 Grand Jury

UNITED STATES OF AMERICA,	)	CR No. 11-199(A) -PA
	)	
Plaintiff,	)	<u>F I R S T</u>
	)	<u>S U P E R S E D I N G</u>
v.	)	<u>I N D I C T M E N T</u>
	)	
MARK ROY ANDERSON,	)	[18 U.S.C. § 1343: Wire Fraud;
	)	18 U.S.C. § 1348: Securities
Defendant.	)	Fraud; 18 U.S.C. § 1957: Money
	)	Laundrying; 18 U.S.C. § 1028A:
	)	Aggravated Identity Theft; 18
	)	U.S.C. § 2(b): Causing an Act
	)	To Be Done]
	)	
	)	
	)	

The Grand Jury charges:

COUNTS ONE THROUGH SIX

[18 U.S.C. § 1343]

A. INTRODUCTORY ALLEGATION

1. At all times relevant to this Indictment defendant MARK ROY ANDERSON ("defendant ANDERSON") was a resident of Los Angeles County, within the Central District of California.

B. THE SCHEME TO DEFRAUD

2. Beginning in or around March 2006, and continuing

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1 through in or around February 2011, in Los Angeles County, within  
2 the Central District of California, and elsewhere, defendant  
3 ANDERSON, together with others known and unknown to the Grand  
4 Jury, knowingly and with intent to defraud, devised, participated  
5 in, and executed a scheme to defraud victim-investors as to  
6 material matters, and to obtain money and property from victim-  
7 investors by means of materially false and fraudulent pretenses,  
8 representations, and promises, and the concealment of material  
9 facts.

10 3. The fraudulent scheme operated, in substance, in the  
11 following manner:

12 a. Defendant ANDERSON and others acting at his  
13 direction solicited money from victim-investors by making, or  
14 causing others to make, one or more of the following  
15 representations, even though defendant ANDERSON then well knew  
16 that the representations were false:

17 i. victim-investors' funds would be invested in  
18 certain oil companies, including but not limited to National  
19 Healthcare Technology, Terax Energy, Westar Oil, China Oil, and  
20 Petrolects;

21 ii. victim-investors' funds would be used in  
22 connection with certain oil ventures, including but not limited  
23 to oil rigs in Oklahoma and oil well leases in Osage, Oklahoma,  
24 and Kern County, California;

25 iii. victim-investors' funds would be used in  
26 connection with certain real estate projects;

1           iv. victim-investors would receive substantial  
2 returns on their investments; and

3           v. victim-investors would receive unrestricted  
4 shares in certain oil companies, meaning that the victim-  
5 investors could sell the shares immediately.

6           b. As part of the fraudulent scheme, defendant  
7 ANDERSON employed various fraudulent devices, including:

8           i. creating false financial records to make it  
9 appear that his companies were successful ongoing businesses;

10           ii. creating false bank statements to make it  
11 appear that he and his companies were worth millions of dollars;  
12 and

13           iii. giving victim-investors checks that were  
14 dishonored because he stopped payment on the checks or because  
15 the respective accounts did not have sufficient funds.

16           c. As part of the fraudulent scheme, defendant  
17 ANDERSON would conceal from, and fail to disclose to, victim-  
18 investors the following material facts, among others:

19           i. defendant ANDERSON was not investing victim-  
20 investors' funds in the manner he had promised;

21           ii. defendant ANDERSON was diverting, or causing  
22 others to divert, a significant portion of the invested funds for  
23 defendant ANDERSON's own personal use and benefit;

24           iii. victim-investors were not receiving returns  
25 on their investments;

26           iv. victim-investors' shares in certain oil  
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1 companies were restricted, meaning that the victim-investors  
2 could not sell them immediately;

3 v. defendant ANDERSON had previously been  
4 convicted of two felony counts of mail fraud, in violation of  
5 Title 18, United States Code, Section 1341, for knowingly  
6 participating in a scheme to obtain money and property by means  
7 of false promises (United States v. Mark Roy Anderson, CR No. 91-  
8 193-AWT);

9 vi. defendant ANDERSON had been disbarred from  
10 the practice of law by the State of Nevada;

11 vii. the United States District Court for the  
12 Northern District of Texas had issued "Agreed Preliminary  
13 Injunctions" against defendant ANDERSON and Westar Oil in  
14 Securities and Exchange Commission v. Terax Energy, Inc., Westar  
15 Oil, Inc., Mark Roy Anderson, and Linda Contreras, Civil Action  
16 No. 3:07-CV-01554-M, preliminarily enjoining defendant ANDERSON,  
17 Westar Oil, and others from violating federal securities laws;

18 viii. defendant ANDERSON had executed "Consents"  
19 on behalf of himself and Westar Oil agreeing to resolve the  
20 claims filed against him and Westar Oil in Securities and  
21 Exchange Commission v. Terax Energy, Inc., Westar Oil, Inc., Mark  
22 Roy Anderson, and Linda Contreras, Civil Action No. 3:07-CV-  
23 01554-M;

24 ix. the United States District Court for the  
25 Northern District of Texas had issued an "Agreed Final Judgment"  
26 against defendant ANDERSON in Securities and Exchange Commission  
27

1 v. Terax Energy, Inc., Westar Oil, Inc., Mark Roy Anderson, and  
2 Linda Contreras, Civil Action No. 3:07-CV-01554-M, permanently  
3 restraining and enjoining defendant ANDERSON and others from  
4 violating federal securities laws and ordering defendant ANDERSON  
5 to pay a civil penalty of \$130,000 and disgorgement and  
6 prejudgment interest of \$59,056; and

7           x.       the United States District Court for the  
8 Northern District of Texas had issued an "Agreed Final Judgment"  
9 against Westar Oil, Inc. in Securities and Exchange Commission v.  
10 Terax Energy, Inc., Westar Oil, Inc., Mark Roy Anderson, and  
11 Linda Contreras, Civil Action No. 3:07-CV-01554-M, permanently  
12 restraining and enjoining Westar Oil and others from violating  
13 federal securities laws and ordering Westar Oil to pay a civil  
14 penalty of \$200,000 and disgorgement and prejudgment interest of  
15 \$2,627,910.

16           d.       After victim-investors invested with defendant  
17 ANDERSON, defendant ANDERSON made further misrepresentations and  
18 engaged in further fraudulent conduct designed to perpetuate and  
19 conceal his fraudulent scheme, including:

20                   i.     fabricating excuses as to why the victim-  
21 investors had not yet profited from their investments;

22                   ii.    soliciting additional money from victim-  
23 investors and promising to invest those funds in investments that  
24 would offer greater returns more quickly than the initial  
25 investment; and

26                   iii.   offering to "roll over" victim-investors'  
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1 initial investments into other investments that would purportedly  
 2 offer greater returns more quickly than their initial  
 3 investments.

4 4. Through the above-described scheme to defraud,  
 5 defendant ANDERSON obtained over \$9.5 million from at least ten  
 6 victim-investors.

7 C. ITEMS WIRED

8 5. On or about the dates set forth below, in Los Angeles  
 9 County, within the Central District of California, and elsewhere,  
 10 defendant ANDERSON, together with others known and unknown to the  
 11 Grand Jury, for the purpose of executing, and attempting to  
 12 execute, the above-described scheme to defraud, transmitted, and  
 13 caused the transmission of the following items by means of wire  
 14 and radio communication in interstate and foreign commerce:

COUNT	DATE	ITEM WIRED
ONE	April 25, 2007	\$400,000 wired from the Bank of Maple Plains account number XX9334 in Minnesota to Wells Fargo Bank account XXXXXX9495 in California
TWO	July 28, 2008	\$2,000,000 wired from JPMorgan Chase Bank account number XXXXXX4313 in New York to Bank of America account XXXXXX0856 in California
THREE	September 3, 2008	\$1,900,000 wired from Smith Barney account number XXXX3810 in New York to Wells Fargo Bank account number XXXXXX1075 in California
FOUR	February 17, 2011	Defendant ANDERSON, who then resided in California, sent an email via the America Online server in Virginia, to G.S., who accessed the email from outside Virginia

COUNT	DATE	ITEM WIRED
FIVE	March 25, 2011	Defendant ANDERSON, who then resided in California, sent an email via the America Online server in Virginia, to N.Z., who accessed the email from outside Virginia
SIX	April 7, 2011	Defendant ANDERSON, who then resided in California, sent an email via the America Online server in Virginia, to C.L., who accessed the email from outside Virginia

COUNTS SEVEN THROUGH NINE

[18 U.S.C. § 1348]

6. The Grand Jury repeats, re-alleges, and incorporates paragraph one of this Indictment as though fully set forth herein in their entirety.

7. Beginning in or after late 2006, and ending in or around May 2007, in Los Angeles County, within the Central District of California, and elsewhere, defendant ANDERSON, together with others known and unknown to the Grand Jury, knowingly executed and attempted to execute a scheme and artifice to defraud victim-investors, and to obtain money and property from victim-investors by means of false and fraudulent pretenses, representations, and promises and the concealment of material facts, all in connection with the purchase and sale of securities of National Healthcare Technology, Inc. ("NHCT"), an issuer with a class of securities registered under Section 12 of the Securities Exchange Act of 1934.

8. The fraudulent scheme operated, in substance, in the following manner:

a. Defendant ANDERSON solicited money from victim-investors by making, and causing others to make, one or more of the following representations, even though defendant ANDERSON then well knew that the representations were false:

i. victim-investors' funds would be invested in NHCT;

ii. victim-investors' funds would be used in



1 connection with certain oil ventures related to NHCT;

2           iii. victim-investors would receive substantial  
3 returns on their investments; and

4           iv. victim-investors would receive unrestricted  
5 shares in NHCT, meaning that they could sell the shares  
6 immediately.

7           b. As part of the scheme, defendant ANDERSON would  
8 conceal from, and fail to disclose to, victim-investors the  
9 following material facts, among others:

10           i. defendant ANDERSON was not investing victim-  
11 investors' funds in the manner he had promised;

12           ii. defendant ANDERSON was diverting, or causing  
13 others to divert, a significant portion of the invested funds for  
14 defendant ANDERSON's own personal use and benefit;

15           iii. other victim-investors were not receiving  
16 returns on investments in NHCT;

17           iv. victim-investors' shares in NHCT were  
18 restricted, meaning that they could not sell them immediately;

19           v. defendant ANDERSON had previously been  
20 convicted of two felony counts of mail fraud, in violation of  
21 Title 18, United States Code, Section 1341, for knowingly  
22 participating in a scheme to obtain money and property by means  
23 of false promises (United States v. Mark Roy Anderson, CR No. 91-  
24 193-AWT); and

25           vi. defendant ANDERSON had been disbarred from  
26 the practice of law by the State of Nevada.

1           c.    After victim-investors invested with defendant  
2 ANDERSON, defendant ANDERSON made further misrepresentations and  
3 engaged in further fraudulent conduct designed to conceal and  
4 perpetuate his fraudulent scheme, including:

5               i.    fabricating excuses as to why victim-  
6 investors had not yet profited from their investments; and

7               ii.   soliciting additional money from victim-  
8 investors and promising to invest those funds in investments that  
9 would offer greater returns more quickly than the initial  
10 investment.

11       9.    In connection with the fraudulent scheme, beginning in  
12 or after late 2006, and ending in or around September 2007,  
13 defendant ANDERSON sought to defraud H.V. in connection with the  
14 securities of NHCT, and sought to obtain money and property from  
15 H.V. by means of material false and fraudulent pretenses,  
16 representations, and promises in connection with the purchase and  
17 sale of securities of NHCT, on or about the following dates:

COUNT	DATE	TRANSACTION
SEVEN	April 4, 2007	H.V.'s payment of \$25,000 for shares of NHCT
EIGHT	April 6, 2007	H.V.'s payment of \$125,000 for shares of NHCT
NINE	May 2007	Delivery of stock certificates of NHCT to H.V.

## COUNTS TEN THROUGH FIFTEEN

[18 U.S.C. §§ 1957, 2(b)]

10. The Grand Jury repeats, re-alleges, and incorporates paragraphs one through eight of this Indictment as though fully set forth herein in their entirety.

11. On or about the following dates, in Los Angeles County, within the Central District of California, and elsewhere, defendant ANDERSON, together with others known and unknown to the Grand Jury, knowing that the funds involved represented the proceeds of some form of unlawful activity, conducted and willfully caused others to conduct, the following monetary transactions affecting interstate commerce in criminally derived property of a value greater than \$10,000, which property, in fact, was derived from specified unlawful activity, namely, wire fraud, in violation of Title 18, United States Code, section 1343, and securities fraud, in violation of Title 18, United States Code, section 1348:

COUNT	DATE	MONETARY TRANSACTION
TEN	February 23, 2007	Deposit of a cashier's check in the amount of \$350,000 made payable to "Rooster 617 Bedford L.L.C." into Bank of America account number XXXXXX8000
ELEVEN	April 10, 2007	Deposit of check #1691 in the amount of \$50,000 into Wells Fargo Bank account number XXXXXX4689
TWELVE	May 8, 2007	Deposit of check #1732 in the amount of \$70,000 into Wells Fargo Bank account number XXXXXX4689

COUNT	DATE	MONETARY TRANSACTION
THIRTEEN	July 31, 2008	Wire transfer of \$1,900,000 from Bank of America account number XXXXXX0856 to Wells Fargo Bank account number XXXXX1075
FOURTEEN	August 1, 2008	Wire transfer of \$1,975,000 from Wells Fargo Bank account number XXXXX1075 to Chase Bank of Texas account number XXXXXX0609
FIFTEEN	October 23, 2009	Purchase of a cashier's check in the amount of \$30,000 made payable to CB Richard Ellis

COUNT SIXTEEN

[18 U.S.C. § 1028A]

12. The Grand Jury repeats, re-alleges, and incorporates paragraphs one through five of this Indictment as though fully set forth herein in their entirety.

13. On or about July 27, 2008, in Los Angeles County, within the Central District of California, and elsewhere, defendant ANDERSON, together with others known and unknown to the Grand Jury, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, that is, the name of E.V.K., during and in relation to wire fraud, a felony violation of Title 18, United States Code, Section 1343.

COUNT SEVENTEEN

[18 U.S.C. § 1028A]

14. The Grand Jury repeats, re-alleges, and incorporates paragraphs one through five of this Indictment as though fully set forth herein in their entirety.

15. On or about July 25, 2010, in Los Angeles County, within the Central District of California, and elsewhere, defendant ANDERSON, together with others known and unknown to the Grand Jury, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person,

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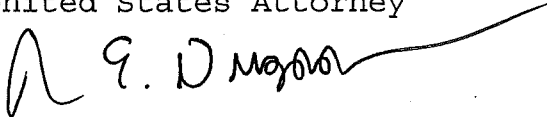
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1 that is, the name of M.B., during and in relation to wire fraud,  
2 a felony violation of Title 18, United States Code, Section 1343.

3  
4 A TRUE BILL

5 151  
6 Foreperson

7  
8 ANDRÉ BIROTTE JR.  
9 United States Attorney

10   
11 ROBERT E. DUGDALE  
12 Assistant United States Attorney  
13 Chief, Criminal Division

14 BEONG-SOO KIM  
15 Assistant United States Attorney  
16 Chief, Major Frauds Section

17 JILL T. FEENEY  
18 Assistant United States Attorney  
19 Deputy Chief, Major Frauds Section

20 STEPHEN I. GOORVITCH  
21 Assistant United States Attorney  
22 Major Frauds Section